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July 14, 2011

Ms. Marlene H. Dortch, Secretary  
Federal Communications Commission  
445 Twelfth Street, SW  
Washington, DC 20554

**Via Electronic Filing**

**Re: MB Dkt 09-182, 2010 Quadrennial Review – Review of the Commission’s Broadcast Ownership Rules and Other Rules Adopted Pursuant to Section 202 of the Telecommunications Act of 1996**

Dear Ms. Dortch,

Pursuant to section 1.1206(b) of the Commission’s rules, Free Press submits this notice regarding an *ex parte* communication in the above referenced proceeding.

On July 14, 2011, Matt Wood, Policy Director; Corie Wright, Policy Counsel; and Liz Lebron, Graduate Fellow, all of Free Press, met with Commissioner Mignon Clyburn and the following members of her staff: Dave Grimaldi, Chief of Staff; Louis Peraertz, Legal Advisor Wireless, International, and Public Safety; Eva Torres, intern; Jonathan Whitaker, intern; and Nathaniel Brown, intern.

The subject of the meeting was the recent U.S. Court of Appeals decision regarding the FCC’s 2006 Quadrennial Media Ownership Review and its impact on the FCC’s pending 2010 Media Ownership Review. *See Prometheus Radio Project v. FCC*, Nos. 08-3078 *et al.*, slip op. (3d Cir. July 7, 2011) (“Prometheus II”). In *Prometheus II*, the Third Circuit vacated and remanded the Commission’s 2007 decision to relax its newspaper-broadcast cross ownership rule and provisions of the Commission’s Diversity Order, while affirming the Commission’s decision to retain its other media ownership limits. *Id.* at 9.

Free Press emphasized that sound policy making, as well as the directive of the Third Circuit, require the FCC to evaluate the impact of all of its media ownership rules on ownership opportunities for women and people of color, and to make diversity a central focus of its 2010 Review. Increasing ownership by women and people of color would serve the public interest by improving service to underserved segments of the community and remedying past discrimination in which the Commission has been, at the least, a passive participant.

Finally, Free Press referenced research by its Research Director S. Derek Turner demonstrating that media consolidation is one of the key factors keeping female and minority station ownership at low levels. As consolidation further diminishes the already limited number of stations available for purchase, women and people of color have fewer chances to become media owners and to promote diverse programming in local communities.<sup>1</sup>

In accordance with the Commission's rules this *ex parte* notice is being filed electronically in the above referenced docket. If you have any questions regarding this filing, please do not hesitate to contact me.

Respectfully  
submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
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Cc:  
Commissioner Mignon Clyburn  
Dave Grimaldi  
Louis Peraertz

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<sup>1</sup> S. Derek Turner, *Out of the Picture: Minority & Female TV Station Ownership in the United States* (2006) available at [http://www.freepress.net/files/out\\_of\\_the\\_picture.pdf](http://www.freepress.net/files/out_of_the_picture.pdf); S. Derek Turner, *Off the Dial: Female and Minority Radio Station Ownership in the United States* (2007) available at [http://www.freepress.net/files/off\\_the\\_dial.pdf](http://www.freepress.net/files/off_the_dial.pdf).